

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael Augustus Comstock

Docket No. 2:07-CR-25-1F

Petition for Action on Supervised Release

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Augustus Comstock, who, upon a finding of guilt by jury to Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1) and 924, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on September 17, 2008, to the custody of the Bureau of Prisons for a term of 78 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Michael Augustus Comstock was released from custody on September 10, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 25, 2016, the defendant was served with a warrant in Tyrrell County, North Carolina, charging him with Simple Assault and Communicating Threats (16CR50124). He was released on a \$1,000.00 unsecured bond on the same date. Investigative material indicated that on July 25, 2016, the defendant verbally threatened the victim, Greg Comstock, and subsequently punched him in the side of the face.

The defendant contacted the undersigned officer on July 25, 2016, and advised that he struck Greg Comstock, who is his nephew, in the face as a result of an escalated verbal altercation and did so in response to being physically grabbed. As a sanction for this conduct, service of 90 days home detention and participation in cognitive behavioral programming is recommended.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Michael Augustus Comstock
Docket No. 2:07-CR-25-1F
Petition For Action
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: (252) 830-2345
Executed On: August 03, 2016

ORDER OF THE COURT

Considered and ordered this 4 day of August, 2016, and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge